



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 1920-00
25 July 2000

CAPT [REDACTED] III USMCR
[REDACTED]
[REDACTED]

Dear Captain [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion from Headquarters Marine Corps, dated 6 April 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official

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records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

1920-00

IN REPLY REFER TO:

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RAM

6 Apr 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR THE CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF CAPTAIN [REDACTED]

1. We recommend disapproval of Captain [REDACTED] request for removal of his failures of selection.
2. We reviewed Captain [REDACTED] petition and his request. Captain Amoss' petition states he failed selection on the FY99 and FY00 Reserve Major Selection Boards. He contends that he should have been on the Inactive Status List (ISL) when the boards convened, which should have made him ineligible for consideration. Based on this contention, Captain [REDACTED] requests removal of his failures of selection.
3. We called Promotions Branch to confirm Captain [REDACTED] failures of selection. In fact, Captain [REDACTED] failed section to Major on the FY98 and FY99 boards, not FY99 and FY00. The FY98 and FY99 boards met 30 April 1997 and 28 April 1998, respectively.
4. The Marine Corps Reserve Support Command (MCRSC) annually screens records for mobilization potential and sends out letters of notification to Marines in danger of being dropped to the ISL, i.e. Marines who earned less than 27 points towards a reserve retirement during the past year, based on their anniversary date. The process of screening and notification normally takes a couple of months. The MCRSC has no visibility on a Marine's promotion status.
5. As evidenced by the Career Retirement Credit Report (CRCR) provided in the petition, Captain [REDACTED] completed a satisfactory year for reserve retirement purposes on 16 May 97 with 158 points. So when the FY98 board met, approximately 6 weeks later, there would have been no justification for placement on the ISL.
6. For the period of March 1997 to March 1998, Captain [REDACTED] CRCR shows no participation. Before receiving any correspondence concerning his status in the Marine Corps Reserve, Captain [REDACTED] typed a letter to the MCRSC, dated 28 March 1998, requesting placement on the ISL. However, the postmark on the envelope of the request was 28 April 1998, the day the FY99 board convened. The MCRSC received the letter on 1 May 1998 and placed Captain [REDACTED] on the ISL the same day. However, since Captain [REDACTED] was in an active status the day the FY99 board convened, he was eligible for consideration.

Subj: BCNR APPLICATION IN THE CASE OF CAPTAIN [REDACTED]
[REDACTED]

7. We believe that Captain [REDACTED] should have been eligible for both the FY98 and FY99 Reserve Major Selection Boards. Consequently, we recommend disapproval of his request for removal of his failures of selection

8. The point of contact at Reserve Affairs concerning this matter is Major [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Lieutenant Colonel
U.S. Marine Corps Reserve
Assistant Head,
Personnel Management Branch
Reserve Affairs Division
By direction of the
Commandant of the Marine Corps